

## Introduction

The University of Wisconsin Oshkosh recognizes that the abuse of alcohol and other drugs is of serious concern to the University community because it can interfere with the education of students and the job performance of faculty and other staff members. The University is committed to providing education about the responsible use of alcohol and about the misuse and abuse of alcohol and other drugs on all segments of society. This issue is of importance to all members of our community and all faculty, staff and students are encouraged to become familiar with this information

## University Standards of Conduct

The University of Wisconsin System and University of Wisconsin Oshkosh prohibit the unlawful possession, use, distribution, manufacture or dispensing of illicit drugs and alcohol by students and employees on university property or as part of university activities.

The use or possession of alcoholic beverages is prohibited on university premises, except in faculty and staff housing and as expressly permitted by the chief administrative officer or under institutional regulations, in accordance with s. UWS 18.06(13)(a), Wis. Adm. Code. Without exception, alcohol consumption and procurement are governed by Wisconsin statutory age restrictions under s. UWS 18.06(13)(b), Wis. Adm. Code.

The unlawful use, possession, distribution, manufacture or dispensing of illicit drugs ("controlled substances" as defined in ch. 961, Wis. Stats.) is prohibited in accordance with s. UWS 18.10(1), Wis. Adm. Code.

Violation of these provisions by a student may lead to the imposition of a disciplinary sanction, up to and including suspension or expulsion, under s. UWS 17.03(1)(b), Wis. Adm. Code. University employees are also subject to disciplinary sanctions for violation of these provisions occurring on university property or the worksite or during work time, up to and including termination from employment. Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, as set forth in Wisconsin statutes, administrative rules, faculty and academic staff policies, and collective bargaining agreements. Referral for prosecution under criminal law is also possible. Further, violations of ss. UWS 18.06(13) and 18.10(1), Wis. Adm. Code may result in additional penalties as allowed under ch. UWS 18, Wis. Adm. Code.

Employees who are convicted of any criminal drug statute violation occurring in the workplace must notify their dean, director or department chair within 5 days of the conviction if the employees are employed by the university at the time of the conviction.

## State of Wisconsin and federal legal sanctions

### Wisconsin

The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and outlines specific penalties for the violation of the regulations. A first time conviction for possession of a controlled substance can result in a sentence of up to one year in prison and a fine of up to \$5,000. Sec. 961.41(3g), Stats. A person convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with an intent to manufacture or deliver, can be imprisoned for up to 30 years and fined up to \$1,000,000. Secs. 961.41 ( 1 ) and ( 1 m), Stats. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term. Section 961.46, Stats.

| Quantity                                     | Description        | First Offense  | Second Offense  |
|--|--------------------|--|---|
| 1,000 kg or more;<br>or 1,000 or more plants | <b>Marijuana</b>   | Not less than 10 years, not more than life.<br><br>If death or serious injury, not less than 20 years, not more than life.<br><br>Fine not more than \$4 million individual, \$10 million other than individual.   | Not less than 20 years, not more than life. If death or serious injury, not less than life.<br><br>Fine not more than \$8 million individual, \$20 million other than individual. |
| 100 kg to 1,000 kg;<br>or 100-999 plants     | <b>Marijuana</b>   | Not less than 5 years, not more than 40 years.<br><br>If death or serious injury, not less than 20 years, not more than life.<br><br>Fine not more than \$2 million individual, \$5 million other than individual. | Not less than 10 years, not more than life. If death or serious injury, not less than life.<br><br>Fine not more than \$4 million individual, \$10 million other than individual. |
| 50 to 99 kg mixture<br>50-99 plants          | <b>Marijuana</b>   | Not more than 20 years.<br><br>If death or serious injury, not less than 20 years, not more than life.<br><br>Fine \$1 million individual, \$5 million other than individual.                                      | Not more than 30 years. If death or serious injury, life.<br><br>Fine \$2 million individual, \$10 million other than individual.   |
| Less than 50 kg mixture                      | <b>Marijuana</b>   | Not more than 5 years.   | Not more than 10 years.   |
| 10 kg or more                                | <b>Hashish</b>     | Fine not more than \$250,000, \$1 million other than individual.   | Fine \$500,000 individual, \$2 million other than individual.   |
| 1 kg or more                                 | <b>Hashish Oil</b> |  |   |

\*Includes Hashish and Hashish Oil  
(Marijuana is a Schedule I Controlled Substance)

| CSA            | Penalty   |  | Quantity                       | Drug              |
|----------------|---|--|--------------------------------|-------------------|
|                | 2nd Offense   | 1st Offense  |                                |                   |
| I<br>and<br>II | Not less than 10 years. Not more than life.                                       | Not less than 5 years. Not more than 40 years.                                   | 10-99 gm or 100-999 gm mixture | Methamphetamine   |
|                | If death or serious injury, not less than life                                    | If death or serious injury, not less than 20 years. Not more than life.          | 100-99 gm mixture              | Heroin            |
|                |   |  | 500-4,999 gm mixture           | Cocaine           |
|                |   |  | 10-99 gm or 100-999 gm mixture | Cocaine Base      |
|                | Fine of not more than \$4 million individual, \$10 million other than individual. | Fine of not more than \$2 million individual, \$5 million other than individual. | 10-99 gm mixture               | PCP               |
|                |   |  | 1-9 gm mixture                 | LSD               |
|                |   |  | 40-399 gm mixture              | Fentanyl          |
|                |   |  | 10-99 gm mixture               | Fentanyl Analogue |
|                |   |  |                                |                   |

|     | Drug   | Quantity | First Offense  | Second Offense   |
|-----|--|----------|--|--|
|     | Others **                                      | Any      | Not more than 20 years.<br>If death or serious injury, not less than 20 years, not more than life.<br>Fine \$1 million individual, \$5 million not individual. | Not more than 30 years. If death or serious injury life. Fine \$2 million individual, \$10 million not individual. |
| III | all (includes anabolic steroids as of 2-27-91) | Any      | Not more than 5 years.<br>Fine not more than \$250,000 individual, \$1 Million not individual.   | Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.                       |
| IV  | All  | Any      | Not more than 3 years.<br>Fine not more than \$250,000 individual, \$1 Million not individual.   | Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.                        |
| V   | All  | Any      | Not more than 1 year.<br>Fine not more than \$100,000 individual, \$250,00 not individual.   | Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.                          |

\*Law as originally enacted states 100 gm. Congress requested to make technical correction to 1 kg.

\*\* Does not include Marijuana, hashish, or hash oil. (See separate chart.)

Wisconsin has formidable legal sanctions that restrict the use of alcohol in various situations. It is illegal to procure for, sell, dispense or give away alcohol to anyone who has not reached the legal drinking age of 21 years. Sec. 125.07(1)(a)(1), Stats. Every adult has a legal obligation to prevent the illegal consumption of alcohol on premises owned by the adult or under the adult's control. Sec. 125.07(1)(a)(3), Stats. A first-time violator of either of the above subsections can be fined up to \$500. It is against the law for an underage person to procure or attempt to procure an alcoholic beverage, to falsely represent his or her age for the purpose of obtaining alcohol, to enter premises licensed to sell alcohol, or to consume or possess alcohol on licensed premises. Sec. 125.07(4)(a), Stats. A first-time underage violator of section 125.07(4)(b), Stats., can be fined up to \$500, ordered to participate in a supervised work program, and have their driver's license suspended.

### Federal

Pursuant to federal law, the United States Sentencing Guidelines establish mandatory minimum penalties for categories of drug offenses and provide for penalty enhancements in specific cases. Under these federal guidelines, courts can sentence a person for up to 6 years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana; a sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury; and, possession of more than 5 grams of cocaine can trigger an intent to distribute penalty of 10-16 years in prison.

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## Summary of health effects of the use and abuse of drugs and alcohol

The following is a partial list of drugs, and the consequences of their use. The abuse of alcohol and the use of other drugs is detrimental to the health of the user. Further, the use of drugs and alcohol is not conducive to an academic atmosphere. Drugs impede the learning process and can cause disruption for other students and disturb their academic interests. The use of alcohol or drugs in the workplace may also impede the employee's ability to perform in a safe and effective manner, and may result in injuries to others. Early diagnosis and treatment of drug and alcohol abuse is in the best interests of the student, employee and the university. (For additional information concerning the health risks associated with substances covered by the Controlled Substances Act, refer to the chart on pages 24-25 of the U.S. Department of Justice publication, Drugs of Abuse, 1996 edition.)

### Alcohol

Alcohol is the most frequently abused drug on campus and in society. Alcohol is chemically classified as a mind-altering drug because it contains ethanol and has the chemical power to depress the action of the central nervous system. This depression affects motor coordination, speech and vision. In great amounts, it can affect respiration and heart rate control. Death can result when the level of blood alcohol exceeds 0.40%. Prolonged abuse of alcohol can lead to alcoholism, malnutrition and cirrhosis.

### Anabolic Steroids

Concerns over a growing illicit market and prevalence of abuse combined with the possibility of long-term effects of steroid use, led Congress to place anabolic steroids into Schedule III of the Controlled Substances Act (CSA). Although the adverse effects of large doses of multiple anabolic steroids are not well established, there is increasing evidence of serious health problems associated with the abuse of these agents, including cardiovascular damage, liver damage and damage to reproductive organs. Physical side effects include elevated blood pressure and cholesterol levels, severe acne, premature balding, reduced sexual function and testicular atrophy. The CSA defines anabolic steroids as any drug or hormonal substance chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids), that promotes muscle growth. Those commonly encountered on the illicit market include: boldenone (Equipose), ethylestrenol (Maxibolin), fluoxymesterone (Halotestin), methandriol, methandrosteno-lone (Dianabol), methyltestosterone, nandrolone (Durabolin, DecaDurabolin), oxandrolone (Anavar), oxymetholone (Anadrol), stanozolol (Winstrol), testosterone and trenbolone (Finajet).

### Cannabis

Three drugs that come from cannabis--marijuana, hashish, and hashish oil--are currently distributed on the U.S. illicit market. These drugs are deleterious to the health and impair the short-term memory and comprehension of the user. When used, they alter the sense of time and reduce the ability of the user to perform tasks requiring concentration and coordination. They also increase the heart rate and appetite. Motivation and cognition can be altered, making acquisition and retaining of new information difficult. Long-term users may develop psychological dependence that can produce

paranoia and psychoses. Because cannabis products are usually inhaled as unfiltered smoke, they are damaging to the lungs and pulmonary system and have more cancer-causing agents than tobacco.

### Depressants

Depressants produce central nervous system depression. Depressants (i.e., barbiturates, benzodiazepines, glutethimide, methaqualone, and meprobamate) can cause physical and psychological dependence that can lead to respiratory depression, coma and death, especially when used in concert with alcohol. Withdrawal can lead to restlessness, insomnia, convulsions and even death. Chloral hydrate, a hypnotic depressant, and alcohol constitute the infamous date rape drug or "Mickey Finn."

### Hallucinogens

LSD, PCP, mescaline and peyote are classified as hallucinogens. Hallucinogens interrupt the brain messages that control the intellect and keep instincts in check. Large doses can produce convulsions and coma, heart and lung failure. Chronic users complain of persistent memory problems and speech difficulties for up to a year after their use. Because the drug stops the brain's pain sensors, drug experiences may result in severe self-inflicted injuries. Persistent memory problems and speech difficulties may linger.

### Narcotics

The term narcotic derives from the Greek work for stupor. Narcotic use is associated with a variety of unwanted effects including drowsiness, inability to concentrate, apathy, lessened physical activity, constriction of the pupils, dilation of the subcutaneous blood vessels causing flushing of the face and neck, constipation, nausea and vomiting and, most significantly, respiratory depression. With repeated use of narcotics, tolerance and dependence develop. Users of narcotics, such as heroin, codeine, morphine, and opium, are susceptible to overdose that can lead to convulsions, coma and death.

### Stimulants

Cocaine is the most potent stimulant of natural origin. "Crack" is the chunk form of cocaine that is a ready-to-use freebase. These drugs stimulate the central nervous system and are extremely addictive. They can cause psychological and physical dependency which can lead to dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, paranoia, and seizures. They can also cause death by disrupting the brain's control of the heart and respiration.

The use of amphetamines and other stimulants can have the same effect as cocaine and cause increased heart rates and blood pressure that can result in a stroke or heart failure. Symptoms include dizziness, sleeplessness, and anxiety. They can also lead to hallucinations, paranoia, psychosis, and even a physical collapse.

Nicotine is highly addictive stimulant, whether ingested by smoking or chewing. This drug hits the brain in six seconds, and damages the lungs, decreases heart strength, and is associated with many types of cancers. The withdrawal symptoms include anxiety, progressive restlessness, irritability, and sleep disturbance.

### Program review

A biennial review of our programs has been conducted. The review was done to determine the effectiveness of our programs, where changes may need to be made, and to ensure that sanctions imposed on violators are consistently enforced.

### Resources for drug and alcohol abuse awareness, prevention & treatment

Employees who have problems with alcohol or controlled substance are encouraged to voluntarily contact their Employee Assistance Program (EAP) coordinator for referral to counseling or treatment programs. Voluntary contacts with the EAP coordinator may remain confidential. The UW Oshkosh EAP Director can be reached at 424-2061.

## Federal penalties & sanctions for illegal possession of a controlled substance

**21 U.S.C. 844(a) 1st conviction:** Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

**After 1 prior drug conviction:** At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000 or both.

**After 2 or more prior drug convictions:** At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

**Special sentencing provisions for possession of crack cocaine:** Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both, if: (a) 1st conviction and the amount of crack possessed exceeds 5 grams. (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams; or (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

**21 U.S.C. 853(a)(2) and 881(a)(7)** Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack, above.)

**21 U.S.C. 881(a)(4)** Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

**21 U.S.C. 844a** Civil fine of up to \$10,000.

**21 U.S.C. 862** Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

**18 U.S.C. 922(g)** Ineligible to purchase, receive, or transport a firearm.

### Miscellaneous

Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

The Controlled Substances Act (CSA), Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, is a consolidation of numerous federal laws regulating the manufacture and distribution of controlled substances. The CSA places all controlled substances into one of five schedules, depending upon the substance's medical use, potential for abuse, and safety or dependence liability. The CSA provides penalties for the unlawful manufacturing and distribution of controlled substances. The charts on pages 8-9 of the U.S. Department of Justice publication, Drugs of Abuse, 1996 Edition, provide an overview of the penalties for trafficking of controlled substances.

Students who have problems with alcohol or controlled substances are encouraged to voluntarily contact the Dean of Students Office for referral to counseling or treatment programs. Voluntary contacts with Dean of Students Office personnel may remain confidential. The UW Oshkosh Dean of Students Office is located 125 Dempsey Hall, and their telephone number is 424-3100.

The Wisconsin Department of Health and Social Services, through its Division of Community Services, publishes a comprehensive pamphlet listing facilities around the state that provide treatment for drug and alcohol addiction. To obtain a copy of this pamphlet, entitled "Wisconsin Alcohol and Drug Abuse Services Directory," contact the Wisconsin Clearinghouse at 800-248-9244, or write to the following address:

Wisconsin Clearinghouse  
University Health Services  
1552 University Avenue  
Madison, WI 53726-4085

As part of the University Health Services at the University of Wisconsin Madison, the mission of the Wisconsin Clearinghouse is to help schools, families, and communities to lead healthy and productive lives. The Wisconsin Clearinghouse has been disseminating information and providing alcohol and drug abuse prevention products and services nationally and state-wide for more than 20 years.

The Wisconsin Clearinghouse publishes a sales catalog that lists more than 300 alcohol and drug abuse awareness and prevention materials (i.e., videotapes, software, curricula, activity books, pamphlets, and posters). If you'd like to receive a free catalog by mail, call the Wisconsin Clearinghouse at 800-248-9244, or e-mail your request to:

[wchpr@www.uhs.wisc.edu](mailto:wchpr@www.uhs.wisc.edu)

The Prevention Resources Center is a statewide program of the Wisconsin Clearinghouse that provides an array of services to non-profit, private and public sector organizations and educators throughout Wisconsin. Services include disseminating alcohol and drug abuse awareness and prevention-related materials, lending curricula, videos and books, and providing technical assistance in such areas as grant writing and program evaluation. Staff also present ideas and information at conferences and workshops. The Wisconsin Clearinghouse also mails the "Prevention Package" to more than 500 sites, providing information on new publications, successful programs, and a calendar of upcoming conferences and training events. The "Prevention Outlook" newsletter is also published, with up-to-date articles on important issues in the prevention field.

| Resource                                   | Location                 | Phone    |
|--|--------------------------|----------|
| Alcohol & Drug Abuse Education Coordinator | 125 Dempsey Hall         | 424-3100 |
| The Gathering Place                        | 620 Elmwood              | 231-1168 |
| Counseling Center                          | SSC, Suite 240           | 424-2061 |
| Dean of Students                           | 125 Dempsey              | 424-3100 |
| Employee Assistance Program                | 201 Dempsey              | 424-2061 |
| Health Center                              | 1st Flr., Radford Hall   | 424-2424 |
| The Living Health Community Clinic         | 510 Dr's Court           | 424-1242 |
| Polk Library/Learning Resource             | Information Desk         | 424-4333 |
| Multicultural Center                       | MEC                      | 424-1246 |
| Student Health Center                      | Radford Hall             | 424-2424 |
| Human Resources                            | 328 Dempsey              | 424-1166 |
| Residence Life Department                  | 2nd Flr., So. Gruenhagen | 424-3212 |

[Controlled Substances Uses & Effects](#)